

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:07-HC-2209-D

UNITED STATES OF AMERICA,)
Petitioner,)
v.) **ORDER**
LARRY WALKER,)
Respondent.)

On June 23, 2010, Larry Walker (“Walker” or “respondent”) filed a motion to dismiss [D.E. 8] the government’s petition for his commitment pursuant to 18 U.S.C. § 4248. On December 2, 2010, respondent filed an additional memorandum [D.E. 12] in support of the motion to dismiss, which the court has also considered. The United States Court of Appeals for the Fourth Circuit’s recent decision in United States v. Comstock, Nos. 07-7671, 07-7672, 07-7673, 07-7674, 07-7675, 2010 WL 4925389 (4th Cir. Dec. 6, 2010), controls many of the issues presented in respondent’s motion to dismiss [D.E. 8]. The motion to dismiss [D.E. 8] is DENIED.

SO ORDERED. This 18 day of January 2011.


JAMES C. DEVER III
United States District Judge